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DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee

SECOM-D-240

9 June 1980

NSA review completed

MEMORANDUM FOR: Chairman, APEX Steering Group

STATINTL

FROM:

SECOM Member

SUBJECT: COMINT Operational and Subcompartment Mode

REFERENCE: NSA Proposal on this Subject
Dated 27 May 1980
NSA Serial: VI/091/80

1. I have reviewed the NSA proposal on COMINT operational compartments (reference). While its simplicity and inclusiveness have appeal, aspects of the proposal need to be clarified and considered further before it is endorsed.

2. I considered this proposal as contrary to the intent of the APEX effort - to develop a system which will carefully restrict to special access programs only that intelligence which clearly warrants special protection, and to keep out of compartmentation information which has been overclassified and unnecessarily compartmented.

3. The proposed COMINT operational compartment would "comprise the totality of what is now CODEWORD or HVCCO information other than product." That embraces what the Communication Intelligence Security Regulations (CISR) defines as "COMINT Activities," "Information Related to COMINT or COMINT Activities," and "Technical Material," as well as "those aspects of other SIGINT activities requiring special protection" and "all policy, planning, research, development, contracting, systems operations, STATINTL

budgeting, and mission-related data." The proposal is submitted as one which "minimizes the disruption of U.S.-Second Party COMINT understandings" and "institutionalizes and regularizes arrangements which, in the case of COMINT, have always existed...." The proposed COMINT [] sub-compartment would, "in general,... comprise elements" of the three CISR-defined areas cited above.

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4. The breadth of inclusion of the proposal does not seem to offer opportunity for the evaluation process inherent in the APEX concept - see paragraph 2 above. If adopted as is, the proposal would mandate compartmentation of material whose need for compartmentation has been and is being seriously questioned (particularly material falling into the subjective area of "information related to COMINT activities"). It seems debatable whether the proposal merits endorsement for the sake of minimizing changes to Second Party Agreements or of perpetuating long-standing arrangements. Any security elements included in either of those areas which impact on APEX implementation should be critically examined and proposed for modification. Premature endorsement of the proposal would pre-empt the opportunity for such examination and response to any recommendations flowing from it.

5. The proposal would have the DIRNSA be the sole authority for authorizing access to the COMINT [] operational compartment and subcompartment. This does not recognize the exception provided in E.O. 12036 (section 1-1202) for delegation of operational control over certain operations conducted through elements of the Community other than NSA. The degree of DIRNSA control over access under the proposal appears regressive in comparison with current Community practices and authorities and contrary to the intent of APEX to facilitate access.

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6. In view of the considerations above, I recommend that it be returned for amplification to define more narrowly what will be included under the ALFA and OMEGA compartments, and to modify DIRNSA's access authorization role so as to retain for SIOs reasonable authority over their assigned and delegated responsibilities.

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